

REMARKS

Claim 1 calls for wirelessly linking a plurality of customers within a retail facility through a local area network based in the retail facility. The customers are enabled to communicate with one another via text messages over the network. The Examiner cites a passage in reference to Beach (column 11, lines 54-63) which has nothing to do with allowing customers to communicate with each other. The present claim calls for enabling the customers to communicate with one another. The fact that all the customers can communicate with one central source does not enable the customers to communicate with one another.

Since the reference fails to meet the limitation of the claim, reconsideration is respectfully requested. On the same grounds, the claims dependent on claim 1 and claim 11, and its dependent claims, should be in condition for allowance, as well as claim 21 and its dependent claims.

New claim 26 calls for activating a network by swiping a credit card. In the response to the arguments, the Examiner suggests that somehow Ogasawara teaches “that the IC card enables a customer to access a terminal by swiping the IC card.” However, the material cited in support thereof (namely, column 6, lines 19-25) teaches no such thing. In particular, that material simply indicates that the card may be swiped to transfer information, but that does not enable a terminal to be activated by swiping a card through a slot in the terminal. There is no reason to believe that the terminal is activated by card swiping. Instead, the cited language merely suggests that information may be transferred to the system by swiping the card. That information may simply augment a fully functional terminal. Nothing in the material supports the argument that the terminal is activated by card swiping.

Therefore, the rejection of claim 26, based on the combination of Beach and Ogasawara, fails to meet the limitations of the claims. The combination of the two prior art references fails to teach all the elements of the claim. There is nothing cited nor referred to in any of the material which suggests any basis upon which to modify the references to meet the claimed limitations.

Therefore, claim 26 and its dependent claims and claim 32, and its dependent claims, should be in condition for allowance.

Claim 35 calls for establishing a local area network in a retail facility and pushing information to a customer terminal coupled to the network, depending on the current location of the terminal within the retail facility.

In the additional comments, the Examiner points to the fact that information about where a special on pies may be located within the store may be provided by the prior art reference. But this does not have anything to do with providing the information based on the location of the user. For example, in the situation cited to in the prior art reference, it would be much more advantageous if, when the user came close to the pies, the ad for the pies popped up. Such an operation would be possible with the claimed invention, but is nowhere suggested by the prior art reference.

Therefore, reconsideration of the rejection of claim 35 and its dependent claims and claim 41, and its dependent claims, is respectfully requested.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

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